



General Assembly

January Session, 2009

Amendment

LCO No. 5555

HB0632405555HDO

Offered by:
REP. DARGAN, 115th Dist.

To: Subst. House Bill No. 6324

File No. 33

Cal. No. 84

**"AN ACT CONCERNING THE INSPECTION OF ELEVATORS, THE
AUTHORITY OF THE STATE AND LOCAL FIRE MARSHALS, THE
REGULATION OF EXPLOSIVES AND OTHER TECHNICAL
CHANGES."**

1 Strike section 6 in its entirety, and substitute the following in lieu
2 thereof:

3 "Sec. 6. Section 29-402 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2009*):

5 (a) As used in this part, the term "license" includes the whole or part
6 of any permit which the Department of Public Safety issues under
7 authority of the general statutes, and which (1) requires persons to
8 place their names on a list maintained by the department before they
9 can engage in the business of demolition of buildings, (2) requires a
10 person to demonstrate competence by examination or other means,
11 and (3) may be revoked or suspended by the department for cause.

12 [(a)] (b) No person shall engage in the business of demolition of

13 buildings without a [certificate of registration] license obtained from
14 the Department of Public Safety. An applicant for an initial
15 [registration] license shall file an application with the Department of
16 Public Safety, furnish evidence of expertise and financial responsibility
17 and pay a fee of three hundred fifty dollars for a class B [certificate]
18 license and seven hundred fifty dollars for a class A [certificate]
19 license. Each [certificate] license shall be valid for twelve months from
20 date of issuance and shall be renewable on application of the
21 [registrant] licensee upon payment of an annual fee of two hundred
22 dollars for a class B [certificate] license and six hundred dollars for a
23 class A [certificate] license. The department may refuse to issue any
24 such [certificate] license for cause, and may revoke or refuse to renew
25 any such [certificate] license for failure to carry out and conform to the
26 provisions of this part or to any regulations adopted hereunder, or for
27 any violation of title 22a. No person shall be refused a [certificate]
28 license or a renewal thereof, and no [certificate] license shall be
29 revoked, without an opportunity for a hearing conducted by the
30 Department of Public Safety in accordance with the provisions of
31 chapter 54.

32 [(b) As used in this part, the term "registration" includes the whole
33 or part of any permit which the Department of Public Safety issues
34 under authority of the general statutes and which (1) requires persons
35 to place their names on a list maintained by the department before
36 they can engage in the business of demolition of buildings, (2) does not
37 require a person to demonstrate competence by examination or other
38 means, and (3) may be revoked or suspended by the department for
39 cause.]

40 (c) The provisions of this section shall not apply to (1) a person who
41 is engaged in the disassembling, transportation and reconstruction of
42 historic buildings for historical purposes or in the demolition of farm
43 buildings or in the renovation, alteration or reconstruction of a single-
44 family residence, (2) the removal of underground petroleum storage
45 tanks, (3) the burning of a building or structure as part of an organized
46 fire department training exercise, or (4) the demolition of a single-

47 family residence or outbuilding by an owner of such structure if it does
48 not exceed a height of thirty feet, provided (A) the owner shall be
49 present on site while such demolition work is in progress and shall be
50 held personally liable for any injury to individuals or damage to public
51 or private property caused by such demolition, and (B) such
52 demolition shall be permitted only with respect to buildings which
53 have clearance from other structures, roads or highways equal to or
54 greater than the height of the structure subject to demolition. The local
55 building official may require additional clearance when deemed
56 necessary for safety."

57 After the last section, add the following and renumber sections and
58 internal references accordingly:

59 "Sec. 501. Section 29-403 of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective October 1, 2009*):

61 Any person aggrieved by a decision of the Department of Public
62 Safety refusing to grant or renew or revoking any [such certificate of
63 registration] license as defined in section 29-402, as amended by this
64 act, may appeal therefrom in accordance with the provisions of section
65 4-183. Such appeal shall be privileged in assignment for trial.

66 Sec. 502. Section 29-406 of the general statutes is repealed and the
67 following is substituted in lieu thereof (*Effective October 1, 2009*):

68 (a) No person shall demolish any building, structure or part thereof
69 without obtaining a permit for the particular demolition undertaking
70 from the building official of the town, city or borough wherein such
71 building or part thereof is located. No person shall be eligible to
72 receive a permit under this section unless he furnishes to the building
73 official written evidence (1) of financial responsibility in the form of a
74 certificate of insurance specifying demolition purposes and providing
75 liability coverage for bodily injury of at least one hundred thousand
76 dollars per person with an aggregate of at least three hundred
77 thousand dollars, and for property damage of at least fifty thousand
78 dollars per accident with an aggregate of at least one hundred

79 thousand dollars; each such certificate shall provide that the town or
80 city and its agents shall be saved harmless from any claim or claims
81 arising out of the negligence of the applicant or his agents or
82 employees in the course of the demolition operations; (2) in the form of
83 a certificate of notice executed by all public utilities having service
84 connections within the premises proposed to be demolished, stating
85 that such utilities have severed such connections and service; and (3)
86 that he is the holder of a current valid [certificate of registration]
87 license issued under the provisions of section 29-402, except in the case
88 of (A) a person who is engaged in the disassembling, transportation
89 and reconstruction of historic buildings for historical purposes or who
90 is engaged in the demolition of farm buildings or in the renovation,
91 alteration or reconstruction of a single-family residence, or (B) an
92 owner who is engaged in the demolition of a single-family residence or
93 outbuilding, as provided in subsection (c) of section 29-402. No permit
94 shall be issued under this section unless signed by the owner and the
95 demolition contractor. Each such permit shall contain a printed
96 intention on the part of the signers to comply with the provisions of
97 this part.

98 (b) In addition to the powers granted pursuant to this part, any
99 town, city or borough may, by ordinance, impose a waiting period of
100 not more than one hundred eighty days before granting any permit for
101 the demolition of any building or structure or any part thereof.

102 Sec. 503. Subsection (a) of section 21-11a of the general statutes is
103 repealed and the following is substituted in lieu thereof (*Effective*
104 *October 1, 2009*):

105 (a) A scrap metal processor, as defined in section 14-67w, shall
106 record, for all loads of scrap metal purchased or received by such
107 processor, a description of such scrap metal, the weight of such metal,
108 the price paid for such metal and the identification of the person who
109 delivered such metal. Such scrap metal processor shall take a
110 photograph of the motor vehicle delivering such scrap metal,
111 including the license plate of such vehicle. Such scrap metal processor

112 shall not be required to segregate scrap metal it receives from other
113 materials on its premises and hold the same for five days except for
114 wire that could be used in the transmission of telecommunications or
115 data unless purchased from (1) a person [registered] licensed pursuant
116 to section 29-402 to engage in the business of demolition of buildings,
117 or (2) a person who has already segregated such scrap metal pursuant
118 to this chapter and such person provides such scrap metal processor
119 with a written statement affirming such segregation. Upon receipt of a
120 load of scrap metal which contains wire that could be used in the
121 transmission of telecommunications or data, such scrap metal
122 processor shall take a photograph of the motor vehicle delivering such
123 scrap metal, including the license plate of such vehicle, and of such
124 load of scrap metal containing wire that could be used in the
125 transmission of telecommunications or data. Upon receipt of wire that
126 could be used in the transmission of telecommunications or data, such
127 scrap metal processor shall make a copy of the certificate of
128 registration of such vehicle; record a description of the material
129 received; and record a statement as to the location from which the
130 material came."